Case 1:07-cv-09503-LAK Document 35

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Via Overnight Mail To:

HONORABLE LEWIS A. KAPLAN UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK 500 Pearl Street, Room 1310 New York, New York 10007

USDS SDNY COUNSELLORS DOCUMENT ELECTRONICALLY FILED DOC #: April 25 JUDGE KAPLAN'S CHAMBERS

CYBER CHAMPION INTERNATIONAL, LTD. v. CARLOS FALCHI, Re: MARCOS FALCHI, AND XYZ COMPANIES Index No.: 07 CV 9503(LAK)

Dear Honorable Sir:

We are the attorneys for the Plaintiff, Cyber Champion International, Ltd. (the "Plaintiff"), in connection with the above referenced matter.

We are in receipt of the Motion to Quash Non-Party Subpoena and Notice of Deposition as filed on April 22, 2008 by HSN LP, i/n/h/a "Home Shopping Network c/o IAC/Interactive Corp. d/b/a Home Shopping Network" ("HSN").

We withdraw the Subpoena served on HSN on February 6, 2008, without prejudice, subject to Plaintiff's right to reserve same at a future date,

We thank Your Honor for your attention in this matter.

Respertfylly Submitted,

Harlan M. Lazarus

HML:cs

CC: Maldjian & Fallon, LLC (Attorneys for Marcos Falchi)

via electronic mail

CC: Ballon Stoll Bader & Nadler, P.C. (Attorneys for Carlos Falchi)

via electronic mail

CC: Goldberg & Associates (Attorneys for HSN) via facsimile

SO ORDER

LEMIS A.